

REMARKS

General Comments

The Examiner has done a good job addressing most of the claim limitations. The attention to detail and combining of different references shows a level of competence and attention to detail that are not seen in most Office Actions. Applicants thank the Examiner for his detailed attention to this case.

Rejection of claims 1, 5-6, 10 and 13-14 under 35 U.S.C. §102(b) as being anticipated by Jonsson

The Examiner rejected claims 1, 5-6, 10 and 13-14 under 35 U.S.C. §102(b) as being anticipated by Jonsson. Claim 1 is amended to recite:

a call router that automatically rings the second phone without requiring input from a user of the portable phone when a call is received for the portable phone if the portable phone is within a predetermined physical relationship with the second phone as indicated by the position detector in the portable phone.

In Jonsson, when a call is received, the mobile terminal displays a list of fixed telephones to the user. The user inputs a preference that designates one of the fixed telephones or the mobile terminal to receive the call. The mobile terminal transmits the preference to a service node, which then routes the call to the phone selected by the user. Claim 1 is amended herein to recite a call router that automatically rings the second phone without requiring input from a user of the portable phone. The call router in claim 1 thus performs its functions automatically, without requiring user input, based on the location indicated by the position detector in the portable phone. Jonsson expressly teaches away from claim 1 as amended by requiring user input to route an incoming call. For this reason, Jonsson does not anticipate claim 1 as amended.

Claim 10 has been amended herein to recite similar limitations added to claim 1, namely:

automatically ringing the second phone without requiring input from a user of the portable phone when a call is received for the portable phone ...

Jonsson expressly teaches away from this automatic call routing based on position of the portable phone because Jonsson requires user input to route the call to the user-selected phone. For this reason, claim 10 is allowable over Jonsson.

Claims 5-6 and 13-14 depend on claims 1 and 10, respectively, which are allowable for the reasons given above. As a result, claims 5-6 and 13-14 are allowable as depending on allowable independent claims.

Rejection of claim 2 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Dennison

The Examiner rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Dennison. Claim 2 depends on claim 1, which is allowable for the reasons given above. As a result, claim 2 is allowable as depending on an allowable independent claim.

Rejection of claims 3, 8-9, 11 and 16-17 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Mukerjee

The Examiner rejected claims 3, 8-9, 11 and 16-17 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Mukerjee. In the rejection of claims 3 and 11, the Examiner correctly states: "Jonsson teaches a manual user selection (via the mobile phone) as to which phone is to be used." The Examiner then cites to Mukerjee as

teaching simultaneously ringing a subscriber's wired and wireless phones simultaneously, and concludes:

It would have been obvious to one skilled in the art at the time of the invention to modify Johsson [sic], such that both phones are rung until one is answered, to provide means for the user to select which phone they want to answer.

Applicants respectfully assert that one of ordinary skill in the art would not be motivated to combine Jonsson and Mukerjee as suggested by the Examiner because their teachings are incompatible. Furthermore, the Examiner's rationale for the combination is defective.

In Jonsson, when a call is received, a user is notified on the mobile terminal, and a list of fixed telephones in proximity to the mobile terminal are displayed on the display of the mobile terminal. The user selects ONE of these phones, and in response to the selection, the call is routed to this ONE selected phone. While Mukerjee teaches ringing two phones simultaneously, the user-selection capability of Jonsson allows the user to select a single phone, not multiple phones. Because Jonsson expressly teaches selecting a single phone, Jonsson expressly teaches away from ringing multiple phones. For this reason, the combination of Jonsson and Mukerjee as suggested by the Examiner would not have been obvious to one of ordinary skill in the art at the time of the invention.

In addition, the Examiner's stated rationale for combining Jonsson and Mukerjee is defective. The Examiner states the combination would have been obvious "to provide means for the user to select which phone they want to answer." This rationale is defective because Jonsson alone provides means for the user to select which phone they want to answer via the user interface on the mobile terminal. Mukerjee is not needed to provide such a means, so the Examiner's stated rationale for combining Jonsson and Mukerjee is defective. As a result, the Examiner has failed to establish a prima facie case of obviousness under 35 U.S.C. §103(a) for claims 3 and 11.

Because Jonsson teaches a user selecting a single phone and routing a call to the single user-selected phone, it would not have been obvious to apply the teachings of Mukerjee regarding simultaneously ringing multiple phones to Jonsson. As a result, claims 3 and 11 are allowable, and applicants respectfully request allowance of claims 3 and 11.

Claims 8-9 depend on claim 3, which is allowable for the reasons given above. Claims 16-17 depend on claim 11, which is allowable for the reasons given above. As a result, claims 8-9 and 16-17 are allowable as depending on allowable independent claims.

Rejection of claims 4 and 12 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of DeBrito

The Examiner rejected claims 4 and 12 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of DeBrito. In rejecting claims 4 and 12, the Examiner states "DeBrito teaches ringing one or more mobile phones in a group of mobile units to which the called party number refers to (abstract)." This statement is incorrect. DeBrito teaches ringing ONLY ONE mobile phone. The abstract of DeBrito states:

Based on the determined geographical positions, **one** of the mobile communication units in said group is selected (204a). Typically the mobile communication unit that is determined as being closest to the originating party is selected. Communication is established (205) between the originating party and the **selected mobile communication unit**.

Because both Jonsson and DeBrito are silent regarding ringing multiple mobile phones, claims 4 and 12 are allowable over the combination of Jonsson and DeBrito. In addition, claims 4 and 12 depend on independent claims that are allowable for the reasons given above. As a result, claims 4 and 12 are also allowable as depending on allowable independent claims.

Rejection of claims 7 and 15 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Syed

The Examiner rejected claims 7 and 15 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Syed. Claim 7 depends on claim 1, which is allowable for the reasons given above. Claim 15 depends on claim 10, which is allowable for the reasons given above. As a result, claims 7 and 15 are allowable as depending on allowable independent claims.

Rejection of claims 18 and 20-22 under 35 U.S.C. §103(a) as being unpatentable over Jonsson and further in view of Hardouin

The Examiner rejected claims 18 and 20-22 under 35 U.S.C. §103(a) as being unpatentable over Jonsson and further in view of Hardouin. Each of these claims is addressed below.

Claim 18

In rejecting claim 18, the Examiner states that Jonsson:

is silent on each geographical region having a phone parameter that determines how a call is run and routing a call based on the phone parameters for a region.

The Examiner then cites to Hardouin's teaching of audio/vibrating alerting based on location on these limitations in the claims. Applicants respectfully assert that the Examiner has not addressed all limitations in claim 18.

Claim 18 recites a combination of two limitations (B) and (D) that need to be read together. These limitations state:

(B) at least one defined geographical region, each defined geographical region having corresponding phone parameters that determine how a call is rung and routed; . . .

(D) a call router that rings and routes a telephone call according to the phone parameters for a region.

Hardouin teaches a plurality of geographical regions that have audio parameters that determine how a call is rung. The parameters in Hardouin are shown in FIG. 2 to include ringer volume, audio out volume, and audio in volume. These parameters, however, do not determine how a call is routed. These parameters only affect the function of a phone in a defined geographical region once a call is already routed to the phone. In Hardouin, there is no teaching or suggestion that a call may be routed differently depending on phone parameters for a geographical region. For this reason, Hardouin does not read on limitation (B) which includes phone parameters that determine how a call is rung *and routed*.

Limitation (D) in claim 18 recites a call router that rings and routes a telephone call according to the phone parameters for the region. The Examiner has failed to address this limitation in claim 18, and has therefore failed to establish a prima facie case of obviousness for claim 18 under 35 U.S.C. §103(a). Hardouin has no such call router. In Hardouin, when a telephone enters a defined geographical region, it inherits the audio parameters for that region that determine how the phone is rung and volume level for the incoming and outgoing audio. In Hardouin, a call to a mobile phone is simply routed to the mobile phone. The way the mobile phone rings and the audio settings for the mobile phone are set by the parameters that the phone inherits from the geographical region when it enters the region. No function regarding ringing and routing is performed by the call router in Hardouin. As a result, Hardouin has no teaching or suggestion of the call router in limitation (D) in claim 18. As a result, claim 18 is allowable over the combination of Jonsson and Hardouin, and applicants respectfully request reconsideration of the Examiner's rejection of claim 18 under 35 U.S.C. §103(a).

Claim 22

In rejecting claim 22, the Examiner reads Hardouin as teaching the updating of phone parameters when exiting a region. Applicants respectfully assert that the Examiner has failed to address all limitations in claim 22, and has therefore failed to establish a prima facie case of obviousness for claim 22 under 35 U.S.C. §103(a).

Claim 22 includes the limitation at lines 6-7 of:

defining phone parameters that determine how a call is rung and routed for each defined geographical region;

Hardouin teaches defining phone parameters that determine how a call is run for each defined geographical region. However, Hardouin does not teach phone parameters that determine how a call is routed for each defined geographical region. For this reason, claim 22 is allowable over the combination of Jonsson and Hardouin.

Claim 22 at lines 11-14 recites:

updating phone parameters for a geographical region when the portable phone enters the geographical region;

updating phone parameters for a geographical region when the portable phone exits the geographical region;

Nowhere does Hardouin teach or suggest that the phone parameters for a geographical region are updated as a phone enters and exits the geographical region. To the contrary, Hardouin teaches just the opposite. The audio parameters in Hardouin are defined for a geographical region. When a phone enters a geographical region, it inherits the audio parameters for that region. The audio parameters for a region are fixed, and do not change as phones enter or exit the region. When a call is routed to a phone in the region, the phone rings with audio input and output settings according to the audio parameters for

the region that the phone inherited when it entered the region. The system in Hardouin thus expressly teaches away from updating phone parameters as a portable phone enters and exits the geographical region, as recited in claim 22. The phone parameters for each geographical region in claim 22 are updated as phones enter and exit the region. This is required so the call router knows which phone or phones to route the call to (and ring) when a call is received. In Hardouin, in contrast, the audio parameters for a defined geographical region are unaffected by phones entering and exiting the region because these phones automatically inherit the audio parameters for the region when they enter the region. The functions in Hardouin can be performed at the level of the mobile phone because the audio parameters only affect how an incoming call is rung and received. Hardouin thus teaches no function that affects the routing of calls according to phone parameters for a geographical region. For these many reasons, claim 22 is allowable over the combination of Jonsson and Hardouin, and applicants respectfully request reconsideration of the Examiner's rejection of claim 22 under 35 U.S.C. §103(a).

Claim 20

In rejecting claim 20, the Examiner states that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Jonsson such that geographical location information as taught in Hardouin is provided in the phone. This assertion, however, goes against the express teachings of Hardouin. In Hardouin, audio parameters are assigned to geographical regions. When a mobile phone enters a geographical region, the mobile phone inherits the audio parameters assigned to the region. The whole purpose of Hardouin is to provide a system-level definition (not in the mobile phone) that the mobile phones can inherit when they enter a defined region. To say that one of ordinary skill in the art would modify Jonsson to provide the geographical location information in Hardouin within the phone itself ignores the express teachings of Hardouin that teach away from such a modification. For these reasons, claim 20 is allowable over the combination of Jonsson and Hardouin. In addition, claim 20 depends

on claim 18, which is allowable for the reasons given above. As a result, claim 20 is allowable as depending on an allowable independent claim. Applicants respectfully request reconsideration of the Examiner's rejection of claim 20 under 35 U.S.C. §103(a).

Claim 21

Claim 21 depends on claim 18, which is allowable for the reasons given above. As a result, claim 21 is allowable as depending on an allowable independent claim. Applicants respectfully request reconsideration of the Examiner's rejection of claim 21 under 35 U.S.C. §103(a).

Rejection of claim 19 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Dennison

The Examiner rejected claim 19 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Dennison. Claim 19 depends on claim 18, which is allowable for the reasons given above. As a result, claim 19 is allowable as depending on an allowable independent claim. Applicants respectfully request reconsideration of the Examiner's rejection of claim 19 under 35 U.S.C. §103(a).

Rejection of claims 23-25 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Griffith

The Examiner rejected claims 23-25 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of Griffith. Claims 23-25 have been canceled herein, and therefore need not be addressed.

Rejection of claim 26 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of U.S. Patent No. 6,459,695 to Schmitt

The Examiner rejected claim 26 under 35 U.S.C. §103(a) as being unpatentable over Jonsson in view of U.S. Patent No. 6,459,695 to Schmitt. In the rejection of claim 26, the Examiner admits that Jonsson is silent on limitations 1-5 in claim 26. The Examiner then cites to Schmitt as teaching a method that can identify a region within a geographic coverage of a base station in a wireless network and interpolate the locations in said region to define a boundary of said region, citing claim 1 of Schmitt. Applicants readily admit that the Examiner's reading of Schmitt is very creative. But Schmitt does not read on the specific steps recited in claim 26.

Schmitt teaches a way for a wireless communication system to identify hot spots or dead spots. Referring to claim 1 of Schmitt cited by the Examiner, the Schmitt method determines a number of calls that have been dropped by the base station, determines an approximate location of each wireless station when its call was dropped, and interpolates the locations of each wireless station whose calls have been dropped to define a boundary for the region. All of these functions are performed by the wireless system itself. NONE OF THESE FUNCTIONS ARE PERFORMED BY A WIRELESS STATION. The steps in claim 26 include:

- (1) placing the portable phone in a dynamic region definition mode;
- (2) moving the portable phone to a first boundary point;
- (3) storing the first boundary point as a boundary point for the region as detected by the internal position detector;
- (4) repeating steps (2) and (3) until all desired boundary points have been entered; and
- (5) computing a region by connecting the boundary points.

While Schmitt does define a dead region where phone calls have been dropped, nowhere does Schmitt teach or suggest a definition of a region using the specific steps in claim 26. The Examiner has not addressed these individual steps 1-5 in claim 26. For this reason, the Examiner has failed to establish a prima facie case of obviousness for claim 26 under 35 U.S.C. §103(a).

Nowhere does Schmitt teach ANY of the limitations 1-5 in claim 26. The computation of a region in Schmitt is done by determining a location of a wireless station when a call is dropped. The dropping of a call is an unintended event. Nowhere does Jonsson nor Schmitt teach or suggest the defining of a region using a portable phone as recited in claim 26. For these reasons, claim 26 is allowable over the combination of Jonsson and Schmitt, and applicants respectfully request reconsideration of the Examiner's rejection of claim 26 under 35 U.S.C. §103(a).


Invitation to the Examiner

Applicants have presented good arguments regarding the allowability of the pending claims. Should the Examiner decide to maintain any of the pending rejections, or provide any new grounds or rejection, applicants invite the Examiner to provide a detailed mapping of teachings of the cited art on individual claim limitations so the Examiner's rejections may be adequately addressed on appeal.

Conclusion

In summary, none of the cited prior art, either alone or in combination, teach, support, or suggest the unique combination of features in applicants' claims presently on file. Therefore, applicants respectfully assert that all of applicants' claims are allowable. Such allowance at an early date is respectfully requested. The Examiner is invited to telephone the undersigned if this would in any way advance the prosecution of this case.

Respectfully submitted,

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